

## TOWN BOARD WORKSHOP/MEETING OCTOBER 7, 2014

### **Resolution #382 - Open Meeting & Adjourn to Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilwoman Osborn

Resolved: The meeting of October 7, 2014 opened at 6:00 p.m. and the board adjourned to executive session to discuss matters relating to collective negotiations under the Taylor Law, and matters relating to appointment of a particular person or corporation.

Motion carried unanimously

### **Resolution #383 - Adjourn Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilwoman Osborn

Resolved: Executive session adjourned at 7:05 p.m.

Motion carried unanimously

### **Presentation by NYS Office of Real Property Tax Services**

John Wolhan from NYS Office of Real Property Tax Services was present to give a certificate to Gary Link, the Supervisor and the Town Board. He said the certificate is known as Excellence in Equity for 2014, recognizing the work the Town of Kent has done to maintain an equitable assessment roll. He said the Town of Kent has over 7,000 parcels and since 2001 the Assessor's Office has been assessing those properties on an annual basis. Other than a break in 2008 the Town has maintained a level of assessment of 100%, which means the town's assessments reflect current market value at 100% as of the annual valuation date required by law for each roll. Each roll is a snapshot in time of value, essentially to the extent that the municipal roll reflects current value. The assessment roll is used to fund county, village, town, school, and special district taxes. People are only paying their fair share, no more, no less which is the cornerstone of good local government. Unfortunately not every municipality throughout the state does this. He recognizes the efforts made by Gary and his clerk Diane. He thanked the Supervisor and the Town Board for their support allowing Gary to do this. The certificate is humble but the thank you and appreciation behind it is not. He presented him with the certificate.

At 7:20 p.m. A Workshop Meeting was held at the Kent Town Center, 25 Sybil's Crossing, Town of Kent, NY 10512. The board discussed and reviewed all the items on the Workshop Agenda.

### **Resolution #384 - Adjourn to Executive Session**

On a motion by Councilwoman Osborn

Seconded by Councilman Tierney

Resolved: The board adjourned to executive session at 8:31p.m. to discuss a contract.

Motion carried unanimously

### **Resolution #385 - Adjourn Executive Session**

On a motion by Councilman Denbaum

Seconded by Councilman Tierney

Resolved: The board adjourned executive session at 8:45p.m.

Motion carried unanimously

**Pledge of Allegiance** - Supervisor Fleming called the meeting to order at 9:00 p.m. with the Salute to the Flag.

### **Roll Call**

Supervisor Maureen Fleming – present

Councilwoman Penny Osborn – present

Councilman Mike Tierney – present

Councilman Paul Denbaum – present

Councilman Bill Huestis – present

### **Resolution #386 - Add to the Agenda**

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: Rescind Resolution #343 was added to the agenda.

Motion carried unanimously

### **Resolution #387 - Rescind Resolution #343**

On a motion by Supervisor Fleming

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Seconded by Councilman Huestis  
Resolved: Resolution #343 was rescinded.  
Motion carried unanimously

**Resolution #388 – Appoint Building Inspector**

On a motion by Councilwoman Osborn  
Seconded by Supervisor Fleming  
Resolved: William Walters was appointed as the Town of Kent Building Inspector.  
Motion carried unanimously  
William Walters thanked the board for their support.

**Resolution #389 – Table Introduce Local Law #4- Prohibit Smoking in Parks & Beaches**

On a motion by Councilwoman Osborn  
Seconded by Seconded by Councilman Huestis  
Resolved: Introduce Local Law #4 was tabled.  
Motion carried unanimously

**Resolution #390 – Reverse Osmosis Membrane**

On a motion by Councilwoman Osborn  
Seconded by Councilman Tierney  
Resolved: The quote received from Culligan to replace a reverse osmosis membrane was approved not to exceed \$3,086.05.  
Motion carried unanimously

**Resolution #391 – Accept Erosion Control Bond Tax Map #42.12-1-25**

On a motion by Councilwoman Osborn  
Seconded by Councilman Huestis  
Resolved: Upon the recommendation of the Kent Planning Board the erosion control bond in the amount of \$3,600 and inspection fee for \$1,000.00 was accepted for David Lewis & Anne Ackerley, 72 Barrett Circle Court TM#42.12-1-25.  
Motion carried unanimously

**Resolution # 392 – Table - Authorize Advertisement for Members Recreation Commission**

On a motion by Councilman Denbaum  
Seconded by Councilwoman Osborn  
Resolved: Authorization of the Town Clerk to advertise for members of the Kent Recreation Commission was tabled.  
Motion carried unanimously

**Resolution #393 – Authorize Advertisement for Ressique Street Landfill Water Testing**

On a motion by Councilman Denbaum  
Seconded by Councilman Tierney and Supervisor Fleming  
Resolved: The Town Clerk is authorized to advertise for bids for the Ressique Street Landfill Water Testing to be opened on Friday October 24, 2014.  
Motion carried unanimously

**Resolution #394 – Authorize Supervisor Remove Elm Tree & Prune Willow Tree**

On a motion by Councilman Denbaum  
Seconded by Councilman Huestis  
Resolved: The Supervisor is authorized to contract with Woolley Corp. to take down and remove a dead Elm tree and prune a Willow tree on Town property in the amount of \$1,000.00.  
The board took a poll vote as follows:  
Councilman Denbaum – aye      Councilwoman Osborn – nay  
Councilman Huestis – aye      Councilman Tierney – nay  
Supervisor Fleming - aye  
Motion carried

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**Resolution #395 – Award Bid to provide General Legal Services Section 1**

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

Resolved: The Supervisor is authorized to contract with Hogan and Rossi to provide “Legal Service Specifications Part 1”, to the Town of Kent under the Attorney RFP dated May 20, 2014.

The board took a poll vote as follows:

Councilman Denbaum – aye      Councilwoman Osborn – nay

Councilman Huestis – aye      Councilman Tierney – nay

Supervisor Fleming - aye

Motion carried

**Resolution #396 – Award Bid to provide General Legal Services Section 2**

On a motion by Councilman Tierney

Seconded by Councilman Huestis

Resolved: The Supervisor is authorized to contract with Tim Curtiss to provide “Legal Service Specifications Part 2”, to the Town of Kent under the Attorney RFP dated May 20, 2014.

Motion carried unanimously

**Resolution #397– Award Bid to provide General Legal Services Section 3**

On a motion by Councilman Tierney

Seconded by Councilman Huestis

Resolved: The Supervisor is authorized to contract with Tim Curtiss to provide “Legal Service Specifications Part 3”, to the Town of Kent under the Attorney RFP dated May 20, 2014.

Motion carried unanimously

**Resolution #398– Award Bid to provide General Legal Services Section 4**

On a motion by Councilman Tierney

Seconded by Councilwoman Osborn

Resolved: The Supervisor is authorized to contract with Van DeWater and Van DeWater to provide general municipal legal services to the Town of Kent under Section 4 of the Attorney RFP dated May 20, 2014.

The board took a poll vote as follows:

Councilman Denbaum – nay, he is in favor of giving this to Tim Curtiss, he is the lowest bidder by far in the range of \$70.00 + per hour. The planning board has pointed out the town does not incur these costs, but our residents and business do, the people who want to develop and make this town better do. While the Planning Board would prefer for their own reason to work with Van DeWater & Van DeWater he does not believe we owe any deference to the Planning Boards wants and whims, We owe deference to the people who pay taxes and want to make the town a better place. This will decrease their planning board fees, he implores the board to reconsider and go with Tim Curtiss who is a competent attorney who can handle the situation and would save our developers and citizens money.

Councilwoman Osborn – aye, because the Planning Board has worked with them for some time and would like to continue.

Councilman Huestis – aye      Councilman Tierney – aye

Supervisor Fleming – finds it difficult, this firm has worked with the Planning Board, but she agrees with

Councilman Denbaum and voted -nay

Motion carried

**Resolution #399– Award Bid to provide General Legal Services Section 5**

On a motion by Councilman Tierney

Seconded by Supervisor Fleming

Resolved: The Supervisor is authorized to contract with Roemer Wallens Gold & Mineaux to provide general municipal legal services to the Town of Kent under Section 5 of the Attorney RFP dated May 20, 2014.

Motion carried unanimously

**Resolution #400 – Approve Vouchers and Claims**

On a motion by Councilman Huestis

Seconded by Councilman Denbaum

Resolved: All Vouchers #200130563 - #200130644 and claims submitted by:

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1. City Carting	\$5,059.45	Lake Carmel Garbage
2. Global Montello Group Corp.	\$8,419.06	Gasoline
3. Insite Engineering	\$30,028.00	Route 52 Sewer
	\$10,367.03	
4. Konica Minolta	\$2,207.03	Copier Lease
5. NYCOMCO	\$2,622.00	2 Way Radios: Police
6. Town of Kent Municipal Repairs	\$7,009.32	Chargebacks: Highway September
	\$39,592.22	Chargebacks: Highway August

In the amount of \$96,617.61 may be paid.

Motion carried unanimously

**Public Comment**

Councilman Huestis said he met with the Chief and Lieutenant Oster regarding traffic safety and any issues concerning dangerous intersections the main one being Ludingtonville Road and Route 52, 76 accidents in less than 2 years. He asked for department priority needs, he knows the Historical Society needs help at the school house and the Mill site. He knows security cameras are needed at Town Hall, he is trying to obtain money. He mentioned the Historical Society is having a Tag Sale on Saturday October 11, 2014. The staff at Ryan's Park is re-sodding and redoing a ball field in house saving lots of money. At Huestis Park the basketball court has been repaired and the Flag is on the pole with a new solar light. He is looking for Eagle Scout Project ideas and had the pleasure of visiting the Highway Department, they are cutting into the hill and making a lot of improvements, which he appreciates.

**Resolution #401 – Adjournment**

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: This Town Board Meeting of October 7, 2014 adjourned at 9:20 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli  
Town Clerk